Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-20 are pending. Claims 4, 6 and 8 are amended to depend from independent claim 2 and thus require no further search or consideration.

Claims Rejections – 35 USC 102(b) - Yamamoto

Claims 1-10, 12 and 19 are rejected under 35 USC 102(b) as anticipated by Yamamoto (US 7,167,258). Applicant respectfully traverses the rejections.

Claims 1-3, 7, and 19

The present invention is directed to an image scanning device that outputs to a network, an image output device that outputs remote image information, and an information processing device that accepts scanning image information and outputs the scanned image information to the image output device under a common protocol. Importantly, the information processing device outputs the scanned image information to the image output device such that the image output device is connected directly only to the image scanning device. For example, applicant's FIG. 1 discloses a PC 3 in communication with printer 2 via scanner 1 such that printer 2 is directly connected only to scanner 1. In this manner, the present invention reduces the number of ports in a hub 8 and provides a copying process without a PC (see specification, paragraphs 0043 and 0006).

The background of Yamamoto is cited at column 1, lines 36-41 for teaching "an input device and output device connected directly, without intervening any computer serving as a control entity and data mediator." For example, an input output system can consist of a digital camera connected only to a printer. No computer is connected.

Independent claims 1 and 2, by contrast, require the information processing device to accept input from the image scanning device and to output to the image output device and to also provide a direct connection to the output device only from the input device. In other words, only a single direct connection to an output device

is provided while communicating with a computer. Thus, the description of a direct connection between input and output devices without computer intervention as taught by the conventional art in Yamamoto directly contradicts claims 1 and 2.

The remaining disclosure of Yamamoto also fails to disclose this feature because multiple connections are always provided. Page 6 of the Action asserts that an embodiment of Yamamoto at column 7, lines 47-53 teaches a single directly connecting path. However, Yamamoto teaches that when the number of target output devices reachable via the relay devices is one and a direct path between the input and output device is provided, then the direct path is selected. Since the output device is connected to at least the relay device and the input device, a direct connection only from the output device to the input device is clearly not disclosed. Although a single path is selected for data transmission, there are still a plurality of direct connections provided from the output device.

In sum, the conventional art teaches direct connection of input and output devices without processing by a third computer device while Yamamoto teaches multiple direct paths to an image output device. Neither discloses or suggests the present invention. Furthermore, claims 4-6 and 8 are amended to depend from independent claim 2. Thus, these claims require no further search and consideration and should be entered.

Since Yamamoto does not disclose each and every feature of claims 1 and 2, it cannot anticipate those claims or claims 3-8 and 19 dependent thereon. The rejections of these claims under 35 USC 102(b) should accordingly be withdrawn.

Claims 9, 10, and 12

Claim 9 is directed to another embodiment of the present invention that includes an image scanning device, image output device, and information processing device. Claim 9 further recites:

> *means for controlling...when receiving a network printing request from the network through the second port during the copying process, to receive and accumulate print data until a means for storing reaches a prescribed*

> *accumulation amount, and when the means for storing reaches the prescribed accumulation amount, to transmit to the information processing device, data instructing to interrupt or suppress the transmission of the print data...*

Yamamoto is cited for teaching a CPU 301 of a laser beam printer 300 having control access to connected devices. The control program can be stored externally in storage device 305. Printer 300 communicates with a host computer under the control of CPU 301 and notifies the host computer of information in the printer (col. 11, lines 20-35).

However, applicant respectfully submits that notification is not an instruction. A notification informs while an instruction commands. Furthermore, the disclosure of CPU 301 controlling access to other devices fails to disclose specific instructions such as the interruption or suppression of print data. Therefore, Yamamoto does not teach a CPU 301 performing the functions specified in claim 9.

Claim 10 is similar to claim 9 but differs in that scanning is stopped when the means for storing reaches a prescribed accumulation amount. Scanning is restarted when the available capacity in the means for storing recovers by process of the network printing process. After an end of the network printing process, the accumulated scanned image data is outputted from the first port via the network to the image output device.

Claim 12 recites that when receiving a network printing request from the network through the second port during the copying process, print data is received and accumulated until a means for storing reaches a predetermined accumulation amount. When the means for storing reaches the prescribed accumulation amount, data instructing to interrupt or suppress transmission of the print data is transmitted to the information processing device.

As discussed above with respect to claim 9, the mere teaching of CPU control by laser beam printer 300 fails to teach any of the functions recited in claims 9, 10 and 12, which must be shown to anticipate those claims.

Since Yamamoto does not disclose each and every element of claims 9, 10 and 12, it cannot anticipate those claims. The rejections under 35 USC 102(b) should accordingly be withdrawn.

Claim Rejections – 35 USC 103(a) – Rosenlund

Claims 11 and 16 are rejected under 35 USC 103(a) as obvious over Yamamoto in view of Rosenlund (US 6,738,155). Claims 17 and 18 are rejected as obvious over Yamamoto in view of Rosenlund and Danknick (US 6,856,416). In response, applicant traverses the rejections.

Claims 11 and 16 are directed to an image scanning device having first and second ports to connect to an image output device and information processing device. Print data received from a network through the second port in a network printing process is output from the first port via the network to the image output device. When a copying instruction is input during the network printing process, an image is scanned and accumulated as scanned image data until a prescribed accumulation amount is stored. When the prescribed accumulation amount is reached, the scanning speed is decreased, and when an available capacity of storage recovers by the progress of the network printing process, the scanning speed increases. After an end of the network printing process, the accumulated scanned image data is output from the first port via the network to the image output device. Rosenlund clearly does not operate in this manner.

Rosenlund is directed to hierarchical storage management (HSM) system 120 that archives electronic files. HSM system 120 is RAID and SAN capable and can store greater than a terabyte of data. RAID allows for the storage and retrieval of high resolution images or other large files (see col. 6, lines 4-14). However, applicant notes that the switching of scanning speeds of an image scanning device is not provided by the storage system of Rosenlund. The mere disclosure of a storage system fails to teach the relationship between the scanning device and storage system. Danknick is directed to allocating print jobs among a plurality of printers and does not remedy the deficiencies of Rosenlund in this regard.

Since Yamamoto, Rosenlund and Danknick do not disclose or suggest each and every element of claims 11 and 16, these claims and claims 17 and 18 dependent thereon are not obvious over Yamamoto, Rosenlund and Danknick. The rejections under 35 USC 103(a) should therefore be withdrawn.

Claim Rejections – 35 USC 103(a) – Maeda

Claims 13 and 20 are rejected as obvious over Yamamoto in view of Maeda (US 6,557,033). Claims 14 and 15 are rejected as obvious over Yamamoto in view of Maeda, and Danknick.

Claim 13 is amended to include the feature of an image output device connected directly only to the image scanning device, as discussed in detail above with respect to claims 1 and 2. Independent claim 20 already includes this feature. Maeda does not remedy the deficiencies of Yamamoto in this regard..

Maeda discloses a printer-scanner composite apparatus 100 connected to a PC 402. A detachable printer head 302 and scanner head 303 allows physical switching between a print and scan function (see Abstract, FIG. 3 and 4, and col. 4, lines 62-65). Since printer head 302 and scanner head 303 can only be attached to apparatus 100 one at a time by connecter 304, they are never connected directly to each other. Furthermore, the printer-scanner composite apparatus is always connected to PC 402 to receive instructions. Thus, printer head 302 and apparatus 100 are never connected directly only to scanner head 303.

Since Yamamoto, Maeda, and the other ancillary references do not disclose or suggest each and every element of claims 13 and 20, these claims and claims 14 and 15 dependent thereon are not obvious over Yamamoto, Maeda and the other ancillary references. The rejections under 35 USC 103(a) should therefore be withdrawn.

Conclusion

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 CFR 1.116(b). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 CFR

1.116(c). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the final Office Action. Lastly, admission is requested under 37 CFR 1.116(b) as presenting rejected claims in better form for consideration on appeal.

This application is now believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after entry of this amendment. Any fees due in connection with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: March 24, 2008

By: _____
Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Phone: 310-785-4600
Fax: 310-785-4601